



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/985,380	12/04/97	COOPER	E TI-23516

023494 LM02/0622  
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EXAMINER	
SNIEZEK, A	
ART UNIT	PAPER NUMBER

2753  
DATE MAILED: 06/22/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**08/985,380**

Applicant(s)  
**Cooper**

Examiner  
**ANDREW L. SNIEZEK**

Group Art Unit  
**2753**



☒ Responsive to communication(s) filed on Nov 9, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-21 is/are pending in the application.

Of the above, claim(s) 1-10, 19, and 20 is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 11-18 and 21 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2753

1. Claims 1-10, 19 and 20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 5.
2. Applicant's election with traverse of claims 11-18 and 21 (invention II) in Paper No. 5 is acknowledged. The traversal is on the ground(s) that the inventions are related and that examiner cannot be "contending that the respective embodiments recited in the claims in issue have no undisclosed relationship". This is not found persuasive because this is the basis of combination/subcombination rejections, i.e. that they are disclosed together. The specific reasons for restriction are repeated herein from paragraphs 2-5 of the previous office action.

The requirement is still deemed proper and is therefore made FINAL.

3. The information disclosure statement filed 12/4/97 has been reviewed.
4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 21 does not further limit the invention of claim 18 since claim 18 is not written using method language.

Art Unit: 2753

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

7. Claims 11-13, 16-18 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al.

Note for example figure 2 along with corresponding disclosure which teaches the limitations including ADC, DAC, a digital signal processor and power amplifier which operate as set forth in claims 11-13, 16-18 and 21.

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. in view of official notice.

Suzuki et al. teaches the claimed invention as discussed above. Claims 14 and 15 further set forth that the digital processor and the digital-to-analog convertor are placed on a single semiconductor material, i.e. silicon. It is notoriously well known in the art to integrate plural circuits into a single semiconductor chip (silicon based) to reduce manufacturing cost and to increase reliability. It

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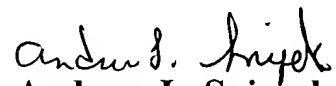
would have been obvious to one of ordinary skill in the art at the time of the invention to modify the corresponding circuit arrangement in Suzuki et al. such that they are incorporated on the same silicon chip to reduce manufacturing cost and to increase reliability.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pham et al. and Kang disclose similar claimed arrangements.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Snizek whose telephone and VoiceMail number is (703) 308-1602.

The appropriate fax phone number for the organization (Group 2750) where this application or proceeding is assigned is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
**Andrew L. Snizek**  
**Primary Examiner**  
**Art Unit 2753**

A.L.S.  
June 13, 2000